

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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ROGER J. DAY,

Plaintiff,

v.

**ORDER**

Civil File No. 05-2675 (MJD/RLE)

STATE OF MINNESOTA, ET AL.,

Defendants.

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Richard I. Diamond, Esq., Counsel for Plaintiff.

Thomas C. Vasaly, Assistant Minnesota Attorney General, Counsel for Defendant.

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**I. INTRODUCTION**

The above-entitled matter comes before the Court pursuant to an objection to the Minute Order of Chief United States Magistrate Judge Raymond L. Erickson, dated June 16, 2006. Plaintiff Day filed timely objections to the Minute Order. The Government filed a response to Plaintiff's objections.

Pursuant to statute, the Court has reviewed the Minute Order to determine whether it is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1); Local Rule 72.2(a). Based on that review the Court affirms the Minute Order dated June 16, 2006.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**  
**HEREBY ORDERED** that

- 1) The Chief Magistrate Judge's Minute Order dated June 16, 2006 [Docket No. 73] is hereby **AFFIRMED**.

Dated: July 26, 2006

s / Michael J. Davis

Judge Michael J. Davis  
United States District Court